

BEFORE THE SHORELINES HEARINGS BOARD  
STATE OF WASHINGTON

IN THE MATTER OF A SHORELINE	)	
VARIANCE PERMIT ISSUED BY KING	)	
COUNTY TO DOMINICK SPANO,	)	SHB No. 86-54
	)	
ROGER LEED and GERALD HERON,	)	
	)	
Appellants,	)	ORDER REMANDING PERMITS
	)	TO KING COUNTY
v.	)	
	)	
DOMINICK SPANO, KING COUNTY and	)	
State of Washington, DEPARTMENT	)	
OF ECOLOGY,	)	
	)	
Respondents.	)	

The Shoreline Hearings Board of the State of Washington has before it the appeal of Roger M. Leed and Gerald Heron from King County's issuance of Shoreline Substantial Development Permit No. 040-83-SH and Shoreline Variance Permit No. 009-83-SV (Dominick Spano). On March 30, 1988, respondent permit holder Spano requested King County to change the permits by deleting from the development site a portion of the subject property, known as the Ljubich property, and by deleting

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(1)

all conditions and requirements pertaining to the Ljubich property. On June 20, 1988 King County's action on this request was filed with the Board.

On its face, the County's letter is not the revision of the permits, which is to include the revised site plan, text and final ruling on original permits. Under the circumstances the Board is unable to determine the precise contours of the County's final approval.

The Board concludes, as a matter of law, that the permit holder's request invokes the formal permit revision process specified by WAC 173-14-064 and that, in this situation, the revision process should be completed before our review is undertaken. Because that process has not been fulfilled, the Board REMANDS the permits to King County for processing pursuant to WAC 173-14-064.

In the exercise of its responsibilities, thereunder, the County shall as it deems appropriate, request detailed plans and text, and specify clearly any terms and conditions. The Department of Ecology shall thereafter exercise its responsibilities as provided under WAC 173-14-064. The County shall file with the Board and serve on all parties, a copy of its final action and the Department's decision. Upon such filing, the Board shall resume its jurisdiction over these appeals. A pre-hearing conference will likely be scheduled, possibly held by telephonic connection.

SO ORDERED this 27th day of July, 1988, in Lacey, Washington.

SHORELINE HEARINGS BOARD

Judith A. Bendor  
JUDITH A. BENDOR, Presiding

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WICK DUFFORD, Chairman

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